

Multiple Agency Fiscal Note Summary

Bill Number: 5470 S SB	Title: Lactation consultants
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Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Washington State Health Care Authority	0	0	218,000	0	0	218,000	0	0	218,000
Washington State Health Care Authority	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.								
Department of Health	0	0	9,000	0	0	21,000	0	0	25,000
Total \$	0	0	227,000	0	0	239,000	0	0	243,000

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Washington State Health Care Authority	2.1	268,000	268,000	486,000	2.1	268,000	268,000	486,000	2.1	268,000	268,000	486,000
Washington State Health Care Authority	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
Department of Health	.4	146,000	146,000	160,000	.1	0	0	30,000	.1	0	0	14,000
Total \$	2.5	414,000	414,000	646,000	2.2	268,000	268,000	516,000	2.2	268,000	268,000	500,000

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Washington State Health Care Authority	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

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Prepared by: Breann Boggs, OFM	Phone: (360) 485-5716	Date Published: Final 2/23/2023
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Individual State Agency Fiscal Note

Bill Number: 5470 S SB	Title: Lactation consultants	Agency: 107-Washington State Health Care Authority
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
General Fund-Federal 001-2	109,000	109,000	218,000	218,000	218,000
Total \$	109,000	109,000	218,000	218,000	218,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	2.1	2.1	2.1	2.1	2.1
Account					
General Fund-State 001-1	134,000	134,000	268,000	268,000	268,000
General Fund-Federal 001-2	109,000	109,000	218,000	218,000	218,000
Total \$	243,000	243,000	486,000	486,000	486,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Sandy Stith	Phone: 786-7710	Date: 02/14/2023
Agency Preparation: Kathryn Kingman	Phone: 360-725-0455	Date: 02/23/2023
Agency Approval: SUMAN MAJUMDAR	Phone: 360-725-1319	Date: 02/23/2023
OFM Review: Jason Brown	Phone: (360) 742-7277	Date: 02/23/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

See attached narrative

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

See attached narrative

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

See attached narrative

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	134,000	134,000	268,000	268,000	268,000
001-2	General Fund	Federal	109,000	109,000	218,000	218,000	218,000
Total \$			243,000	243,000	486,000	486,000	486,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	2.1	2.1	2.1	2.1	2.1
A-Salaries and Wages	127,000	127,000	254,000	254,000	254,000
B-Employee Benefits	48,000	48,000	96,000	96,000	96,000
C-Professional Service Contracts					
E-Goods and Other Services	6,000	6,000	12,000	12,000	12,000
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements	62,000	62,000	124,000	124,000	124,000
T-Intra-Agency Reimbursements					
9-					
Total \$	243,000	243,000	486,000	486,000	486,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
FISCAL ANALYST 3	65,000	0.5	0.5	0.5	0.5	0.5
MEDICAL ASSISTANCE PROGRA SPECIALIST 3	83,000	1.0	1.0	1.0	1.0	1.0
MEDICAL ASSISTANCE SPECIALIST 3	54,000	0.3	0.3	0.3	0.3	0.3
OPERATIONS RESEARCH SPECIALIST	102,000	0.3	0.3	0.3	0.3	0.3
Total FTEs		2.1	2.1	2.1	2.1	2.1

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

See attached narrative

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

See attached narrative

HCA Fiscal Note

Bill Number: 5470 SSB

HCA Request #: 23-138

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

An act creating a new health profession for lactation consultants.

This substitute bill makes the following changes to the original bill:

- To allow licensed midwives and certified nurse-midwives education, clinical training and experience count as credit towards lactation consultant certification.

There is no change to the Washington Health Care Authority's (HCA) fiscal impact between the substitute bill and the original bill.

Sections 1 through 9 establish the profession including standards and requirements, establishment of oversight for licenses and disciplining authorities.

NEW Section 10 Lactation Consultant Services Medicaid Coverage. Requires that HCA cover lactation consultant services under the state Medicaid program by January 1, 2025.

II. B - Cash Receipts Impact

Indeterminate.

HCA assumes the fiscal impacts associated with the staff cost will be eligible for a Federal Financial Participation (FFP) of 45 percent.

ACCOUNT	FY-2024	FY-2025	FY-2026	FY-2027	FY-2028	FY-2029	2023-25	2025-27	2027-29
General Fund-Medicaid 001-C	109,000	109,000	109,000	109,000	109,000	109,000	218,000	218,000	218,000
Totals	\$ 109,000	\$ 109,000	\$ 109,000	\$ 109,000	\$ 109,000	\$ 109,000	\$ 218,000	\$ 218,000	\$ 218,000

II. C – Expenditures

The fiscal impact is greater than \$50,000 but indeterminate to actual cost.

Apple Health Service Costs

This bill directs the Department of Health to create a new state level voluntary credential for lactation consultants. It also requires that the HCA ensures that services provided by such lactation consultants be covered by Apple Health by January 1, 2025. HCA assumes that the benefit model and the State Plan Amendment will be restricted to allowing the coverage of these services in outpatient setting only. Currently, lactation consultants cannot practice under their own credentials in an outpatient setting. To provide lactation care, they must work with a mid-level provider outside of hospital setting or have another licensure that allows for them to provide such services. Therefore, the proposed policy change is expected to result in increased service-related costs for HCA.

HCA is unable to estimate the service-related cost of the proposed policy. Determining the fiscal impact of allowing for lactation consultants to independently work with their own credential in an outpatient setting would first require the development of a model for the benefit. The number of providers who would receive the new credential and the potential volume of services that would be provided are also unclear at this time. For reference, the number of Apple Health paid deliveries in fiscal year 2022 was about 35,000. HCA expects that around 10% of clients giving birth would utilize outpatient services by a

HCA Fiscal Note

Bill Number: 5470 SSB

HCA Request #: 23-138

lactation consultant. This would imply that about 3,500 clients would benefit from the services of a licensed lactation consultant annually when the proposed policy is implemented.

Apple Health Administrative Costs

HCA requests \$486,000 (\$268,000 GF-S) and 2.1 Full Time Equivalent (FTE) staff in the 2023-2025 biennium. The staff costs thereafter are \$243,000 (\$134,000 GF-S) per year.

Job title	Salary	FY-2024	FY-2025	FY-2026	FY-2027	FY-2028	FY-2029	2023-25	2025-27	2027-29
FISCAL ANALYST 3	65,000	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
MEDICAL ASSISTANCE PROGRAM SPECIALIST 3	83,000	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
MEDICAL ASSISTANCE SPECIALIST 3	54,000	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
OPERATIONS RESEARCH SPECIALIST	102,000	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Totals		2.1	2.1	2.1	2.1	2.1	2.1	2.1	2.1	2.1

Account	Account Title	Type	FY-2024	FY-2025	FY-2026	FY-2027	FY-2028	FY-2029	2023-25	2025-27	2027-29
001-1	General Fund	State	134,000	134,000	134,000	134,000	134,000	134,000	268,000	268,000	268,000
001-C	General Fund	Medicaid	109,000	109,000	109,000	109,000	109,000	109,000	218,000	218,000	218,000
Totals			\$ 243,000	\$ 243,000	\$ 243,000	\$ 243,000	\$ 243,000	\$ 243,000	\$ 486,000	\$ 486,000	\$ 486,000

	FY-2024	FY-2025	FY-2026	FY-2027	FY-2028	FY-2029	2023-25	2025-27	2027-29
FTE	2.1	2.1	2.1	2.1	2.1	2.1	2.1	2.1	2.1
A Salaries and Wages	127,000	127,000	127,000	127,000	127,000	127,000	254,000	254,000	254,000
B Employee Benefits	48,000	48,000	48,000	48,000	48,000	48,000	96,000	96,000	96,000
E Goods and Other Services	6,000	6,000	6,000	6,000	6,000	6,000	12,000	12,000	12,000
T Intra-Agency Reimbursements	62,000	62,000	62,000	62,000	62,000	62,000	124,000	124,000	124,000
Totals	\$ 243,000	\$ 243,000	\$ 243,000	\$ 243,000	\$ 243,000	\$ 243,000	\$ 486,000	\$ 486,000	\$ 486,000

HCA does not believe they will need a unique program manager for each type of Medicaid provider. However, this is/would be a brand-new provider type and benefit for Medicaid and HCA knows from other states, and their own experience, that new provider types need considerable support, education, and outreach to successfully provide the covered services to Medicaid clients and move through the revenue cycle. There is substantial work to develop and implement a model, rate, secure the Centers for Medicare & Medicaid Services (CMS) approval for federal match and then work with providers/community to educate around the benefit, initiate and oversee programmatic oversight, quality monitoring and improvement, etc. While there is a heavier lift in getting the benefit to implementation, much of this work is ongoing and HCA expects there to be a gradual and ongoing increase in this new provider type enrolling as a Medicaid provider and subsequently in utilization and benefit from the covered services.

HCA estimated on the low end that in the first year perhaps 10% of Apple Health clients would utilize the benefit but that could easily increase to 50% or more of the total eligible population. There is also significant initial and ongoing work to be done in terms of this bill and HCA's American Indian and Alaskan Native (AI/AN) partners across the state. HCA wants these services to meet the needs of their Indian/Native (and Black) communities who are markedly underserved in this space and who subsequently have low rates of both initial and ongoing breastfeeding, resulting in less than optimal outcomes for infants and birthing people. HCA will not be able to do this work without the FTE support.

1 FTE Medical Assistance Program Specialist 3 (permanent). Program management and oversight. Annual salary and benefit cost \$113,000.

0.3 FTE Operations Research Specialist (permanent). Update reports and data systems to track and manage this service. Annual salary and benefit cost \$35,000.

0.3 FTE Medical Assistance Specialist 3 (permanent). Provider enrollment support for lactation consultants.

HCA Fiscal Note

Bill Number: 5470 SSB

HCA Request #: 23-138

Other FTE costs

0.5 FTE. Administrative costs are calculated at \$39,000 per 1.0 FTE. This cost is included in Object T based on HCA's federally approved cost allocation plan and are captured and/or included as Fiscal Analyst 3 classification. Annual cost is \$62,000.

Part IV: Capital Budget Impact

None

Part V: New Rule Making Requirements (leave blank if no changes)

Rules will need to be adopted/amended to cover lactation consultant services under Apple Health.

Individual State Agency Fiscal Note

Bill Number: 5470 S SB	Title: Lactation consultants	Agency: 303-Department of Health
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Health Professions Account-State 02G-1		9,000	9,000	21,000	25,000
Total \$		9,000	9,000	21,000	25,000

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.4	0.4	0.4	0.1	0.1
Account					
General Fund-State 001-1	58,000	88,000	146,000	0	0
Health Professions Account-State 02G-1	0	14,000	14,000	30,000	14,000
Total \$	58,000	102,000	160,000	30,000	14,000

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Sandy Stith	Phone: 786-7710	Date: 02/14/2023
Agency Preparation: Donna Compton	Phone: 360-236-4538	Date: 02/15/2023
Agency Approval: Kristin Bettridge	Phone: 3607911657	Date: 02/15/2023
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 02/15/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

This substitute expands on Section 2 to state education, clinical training, and experience of licensed midwives and certified nurse midwives may be considered as credit toward lactation consultant certification. The department assumes no change in fiscal impact as a result of this language. Additionally, costs associated with HELMS have been reduced.

The bill creates a new chapter in Title 18 RCW to license lactation consultants.

Section 2: Adds a section setting licensing standards, continuing competency, and continuing education requirements for lactation consultants. Places lactation consultants under the Uniform Disciplinary Act 18.130 RCW.

Section 4: Adds section allowing for out of state lactation consultants to apply without examination if other state has a substantially equivalent scope of practice.

Section 5: Adds section setting scope of practice for lactation consultants.

Section 6: Adds a section allowing military experience to be accepted in place of training requirements.

Section 12: Adds an effective date of January 1, 2024 to section 1 through 7.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

Current law, RCW 43.70.250, requires that health professions be fully self-supporting and that sufficient revenue collected through fees to fund expenditures in the Health Professions Account. The calculation of specific fees will happen during rulemaking and a fee proposal presented as part of the rules package.

For the purpose of this fiscal note, an annual license fee is estimated between \$50 and \$70 to cover the regulation of lactation consultants. During the rulemaking process, a fee study will be prepared with proposed fees and provided for stakeholder input. The department will monitor the fund balance and will adjust fees over a six (6) year period to ensure that fees are sufficient to cover all program expenditures. Revenue collection will start January 1, 2025 and renewals paid annually.

The International Board of Lactation Consultant Examiners currently shows 622 certified lactation consultants in Washington. Additionally, the Academy of Lactation Policy and Practice shows 192 members in Washington, members include Certified Lactation Counselor (CLC), Advanced Lactation Consultant (ALC), and Advanced Nurse Lactation Consultant (ANLC). During the 2016 sunrise review on lactation consultants it was determined that 86% of these individuals already hold a health care licenses. Base on this information of 814 consultants/members in Washington state and the certification is optional, the department assumes that 14% (114) of consultants/members will apply in the first year. Due to the education and experience requirements, the department assumes that individuals who don't already meet the requirements will obtain them in the second and third year of the certification being available. Therefore, the department assumes 5% (41) of consultants/members will apply in FY 2025 and FY 2026. Each year thereafter the department assumes a 1% (2) growth rate.

Assumption: Revenue estimates are based on the assumption that the department will receive general fund-state (GFS) in FY 2024 and FY 2025 to implement this bill. If GFS is not appropriated for implementation in FY 2024 and FY 2025, then the fees may range between \$160 and \$210 per certification in order to recover the implementation costs over a six-year

horizon.

Washington Administration Code (WAC) 246-12-020 (3) states the initial credential will expire on the practitioner's birthday, except for faculty or postgraduate education credentials authorized by law. Initial credentials issued within ninety days of the practitioner's birthday do not expire until the practitioner's next birthday. Based on this WAC, the department assumes a standard 25 percent of first year applications will need to renew their license in the first year as their birthday will fall outside of ninety days from issuance of initial credential. Ongoing renewals are based on the professions current renewal rate of the previous year's applications and renewals. Because this is a new profession the department assumes a 98.5% renewal rate.

Estimated revenue for lactation consultants (based on range \$50 - \$70):

FY 2025 - \$9,000 (114 applications & 28 renewals)

FY 2026 - \$9,000 (41 applications & 112 renewals)

FY 2027 - \$12,000 (41 applications & 151 renewals)

FY 2028 - \$11,000 (2 applications & 189 renewals)

FY 2029 - \$14,000 (2 applications & 228 renewals)

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Rulemaking

Section 2, 4, 5, 6: The department will develop and adopt rules to establish the certified lactation consultant program. The department anticipates utilizing a team of subject matter experts to implement this bill. This team will consist of the program manager and a community engagement specialist to reach disadvantaged communities and engage them in the rulemaking process. Based on the department's experience establishing health care professions, the department anticipates rulemaking to be complex. Complex rulemaking will require a rules project coordinator to support subject matter experts and ensure timely completion of rulemaking. This process will include three stakeholder meetings as well as one formal rules hearing, all held virtually, and will take approximately 18 months to complete. The department anticipates providing the rules hearing announcement and materials in both English and Spanish and providing ASL and Spanish interpretation services at the rules hearing.

Costs include staff, associated expenses (including goods and services, travel, intra-agency, and indirect charges), and Office of Attorney General support in the amount of \$9,000.

FY 2024 costs will be 0.4 FTE and \$54,000 (GF-S)

FY 2025 costs will be 0.2 FTE and \$29,000 (GF-S)

Health Technology Solutions (HTS)

Section 2: Configuration in department's Healthcare Enforcement and Licensing Modernization System will require 220 hours from the integration vendor at a rate of \$262.50 per hour. Work will include the initial vendor configuration and agency staff time for ongoing maintenance of a new credential and application as well as updating a report and support.

FY 2025, costs will be \$59,000 (GF-S)

FY 2026 and ongoing, costs will be 0.1 FTE and \$7,000 (02G-1)

Office of Customer Service

Section 2: This bill requires additional staff to review and process initial applications, run background checks through the Washington State Patrol (all new applicants) provide technical assistance, and issue certifications for qualified applicants. In subsequent years, the department will process more renewals than initial applications which typically take less time but will increase total workload due to volume. There is also impact to customer services operations, call center, revenue, renewal, and public disclosure units as a result of the increase in applications and renewals.

FY 2024, costs will be \$4,000 (GF-S).
 FY 2025, costs will be 0.2 FTE and \$14,000 (02G-1)
 FY 2026, costs will be 0.1 FTE and \$8,000 (02G-1)
 FY 2027, costs will be 0.1 FTE and \$8,000 (02G-1)

Office of Investigation and Legal Services (OILS)

Section 2: Based on the departments experience, one to three complaints relating to unlicensed practice associated with this new certification are anticipated. Given the nature of the anticipated complaints the department does not expect a substantial fiscal impact.

Costs to implement this bill:

FY 2024 – 0.4 FTE and \$58,000 (GF-S)
 FY 2025 – 0.4 FTE and \$88,000 (GF-S) and \$14,000 (02G-1)
 FY 2026 – 0.1 FTE and \$15,000 (02G-1)
 FY 2027 – 0.1 FTE and \$15,000 (02G-1)
 FY 2028 and ongoing – 0.1 FTE and \$7,000 (02G-1)

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	58,000	88,000	146,000	0	0
02G-1	Health Professions Account	State	0	14,000	14,000	30,000	14,000
Total \$			58,000	102,000	160,000	30,000	14,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.4	0.4	0.4	0.1	0.1
A-Salaries and Wages	34,000	26,000	60,000	20,000	10,000
B-Employee Benefits	13,000	9,000	22,000	6,000	2,000
C-Professional Service Contracts		59,000	59,000		
E-Goods and Other Services	9,000	6,000	15,000	4,000	2,000
T-Intra-Agency Reimbursements	2,000	2,000	4,000		
Total \$	58,000	102,000	160,000	30,000	14,000

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Fiscal Analyst 2	53,000	0.1	0.1	0.1		
HEALTH SERVICES CONSULTANT 4	82,896	0.2	0.2	0.2	0.1	0.1
MANAGEMENT ANALYST 4	82,896	0.1	0.1	0.1		
Total FTEs		0.4	0.4	0.4	0.1	0.1

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Sections 2, 4, 5, 6: The department will adopt rules as necessary to implement this bill.



Multiple Agency Ten-Year Analysis Summary

Bill Number 5470 S SB	Title Lactation consultants
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This ten-year analysis is limited to the estimated cash receipts associated with the proposed tax or fee increases.

Estimated Cash Receipts

	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2026	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	Fiscal Year 2030	Fiscal Year 2031	Fiscal Year 2032	Fiscal Year 2033	2024-33 TOTAL
Washington State Health Care Authority	0	0	0	0	0	0	0	0	0	0	0
Department of Health	0	9,000	9,000	12,000	11,000	14,000	16,000	16,000	21,000	23,000	131,000
Total	0	9,000	9,000	12,000	11,000	14,000	16,000	16,000	21,000	23,000	131,000



Ten-Year Analysis

Bill Number 5470 S SB	Title Lactation consultants	Agency 107 Washington State Health Care Authority
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts

 Partially Indeterminate Cash Receipts

 Indeterminate Cash Receipts

Name of Tax or Fee	Acct Code											

Agency Preparation: Kathryn Kingman	Phone: 360-725-0455	Date: 2/23/2023 9:09:39 am
Agency Approval: SUMAN MAJUMDAR	Phone: 360-725-1319	Date: 2/23/2023 9:09:39 am
OFM Review:	Phone:	Date:



Ten-Year Analysis

Bill Number 5470 S SB	Title Lactation consultants	Agency 303 Department of Health
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts

 Partially Indeterminate Cash Receipts

 Indeterminate Cash Receipts

Estimated Cash Receipts

Name of Tax or Fee	Acct Code	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2026	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	Fiscal Year 2030	Fiscal Year 2031	Fiscal Year 2032	Fiscal Year 2033	2024-33 TOTAL
Lactation Consultants	02G		9,000	9,000	12,000	11,000	14,000	16,000	16,000	21,000	23,000	131,000
Total			9,000	9,000	12,000	11,000	14,000	16,000	16,000	21,000	23,000	131,000
Biennial Totals			9,000	21,000	25,000	32,000	44,000	131,000				

Narrative Explanation (Required for Indeterminate Cash Receipts)

Current law, RCW 43.70.250, requires that health professions be fully self-supporting and that sufficient revenue collected through fees to fund expenditures in the Health Professions Account. The calculation of specific fees will happen during rulemaking and a fee proposal presented as part of the rules package.

For the purpose of this fiscal note, an annual license fee is estimated between \$50 and \$70 to cover the regulation of lactation consultants. During the rulemaking process, a fee study will be prepared with proposed fees and provided for stakeholder input. The department will monitor the fund balance and will adjust fees over a six (6) year period to ensure that fees are sufficient to cover all program expenditures. Revenue collection will start January 1, 2025 and renewals paid annually.

The International Board of Lactation Consultant Examiners currently shows 622 certified lactation consultants in Washington. Additionally, the Academy of Lactation Policy and Practice shows 192 members in Washington, members include Certified Lactation Counselor (CLC), Advanced Lactation Consultant (ALC), and Advanced Nurse Lactation Consultant (ANLC). During the 2016 sunrise review on lactation consultants it was determined that 86% of these individuals already hold a health care license. Based on this information of 814 consultants/members in Washington state and the certification is optional, the department assumes that 14% (114) of consultants/members will apply in the first year. Due to the education and experience requirements, the department assumes that individuals who don't already meet the requirements will obtain them in the second and third year of the certification being available. Therefore, the department assumes 5% (41) of consultants/members will apply in FY 2025 and FY 2026. Each year thereafter the department assumes a 1% (2) growth rate.

Assumption: Revenue estimates are based on the assumption that the department will receive general fund-state (GFS) in FY 2024 and FY 2025 to implement this bill. If



Ten-Year Analysis

Bill Number	Title	Agency
5470 S SB	Lactation consultants	303 Department of Health

This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Narrative Explanation (Required for Indeterminate Cash Receipts)

GFS is not appropriated for implementation in FY 2024 and FY 2025, then the fees may range between \$160 and \$210 per certification in order to recover the implementation costs over a six-year horizon.

Washington Administration Code (WAC) 246-12-020 (3) states the initial credential will expire on the practitioner's birthday, except for faculty or postgraduate education credentials authorized by law. Initial credentials issued within ninety days of the practitioner's birthday do not expire until the practitioner's next birthday. Based on this WAC, the department assumes a standard 25 percent of first year applications will need to renew their license in the first year as their birthday will fall outside of ninety days from issuance of initial credential. Ongoing renewals are based on the professions current renewal rate of the previous year's applications and renewals. Because this is a new profession the department assumes a 98.5% renewal rate.

Estimated revenue for lactation consultants (based on range \$50 - \$70):

FY 2025 - \$9,000 (114 applications & 28 renewals)

FY 2026 - \$9,000 (41 applications & 112 renewals)

FY 2027 - \$12,000 (41 applications & 151 renewals)

FY 2028 - \$11,000 (2 applications & 189 renewals)

FY 2029 - \$14,000 (2 applications & 228 renewals)

Agency Preparation: Donna Compton	Phone: 360-236-4538	Date: 2/15/2023 4:55:39 pm
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